



**Agenda Item Number: 2009-3-11B**

## **BERNALILLO COUNTY BOARD OF COUNTY COMMISSIONERS**

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**Meeting Date:** March 17, 2009

**Department:** Public Works **Staff Contact:** Tom Zdunek, Deputy County Manager for Public Works  
Steve R. Miller, IP&GR Director  
Deanna Miglio, Right of Way Agent Sr.

**TITLE:** Purchase of Vacant Land by Bernalillo County Public Works Department from the New Mexico Department of General Services

**ACTION:** Motion to approve the Purchase of 10.6438± Acres of Vacant Land in the North Valley for a Storm Drainage Pond to Support the Edith Boulevard Phase II Road Reconstruction

### **SUMMARY:**

Pursuant to County remediation of storm drainage deficiencies surrounding the Edith Blvd. Phase II road reconstruction project, a 15± acre site owned by the State of New Mexico was identified as the most critical point of location and corresponding acquisition to bring the project to fruition. However, the road project only required 10.6438 acres for the anticipated drainage capacity requirement. Upon County request, the 48<sup>th</sup> 2007 New Mexico State Legislative Session approved a one term five year lease of subject property between the State and County, facilitating construction of the pond and to permit sufficient time for the County to fund the eventual purchase of the property.

The lease agreement with the State specified that upon completion of the project the remaining acreage off this site would be properly graded and reasonably reclaimed. The County has completed this task largely through the efforts of Project Manager Frank Williams. State Property Control has formally accepted the work as satisfactory and released the County from said obligation. All work on this property is now complete and there are no known environmental impairments to either the pond or remaining parcel.

The 10.6438 acres of property required for County use have been appraised by the County and valued at \$811,400.00 and approved the State. The County will begin working with the community and the North Valley Little League to look at the construction of much needed athletic fields for this area.

The State General Services Department through its Property Control Division has approved the contract and signed a quit claim deed to the County subject to final approval of purchase by the Board. The Real Estate Committee recommends the purchase in the best interest of the public.

The details for closing are as follows:

Value of Larger Parcel (15.778± acres) = \$2,075,000.00  
Value of the Remainder (5.1342± acres) = 1,263,600.00  
Value of Part Taken (10.6438± acres) = \$ 811,400.00  
**SUB-TOTAL: AMOUNT DUE PROPERTY OWNER.....\$811,400.00**  
Title Commitment Fee..... 50.00  
Owners Policy..... 3,503.00  
Escrow/closing Fee..... 213.50  
Special Assessment Fee..... 50.00  
Total Closing Costs..... \$3,816.50  
**SUB-TOTAL: CLOSING COST/SANDIA TITLE..... \$ 3,816.50**  
**TOTAL PURCHASE COSTS..... \$815,216.50**

#### **ATTACHMENTS:**

1. Parcel Description
2. Zone Atlas page
3. Appraisal Information
4. House Joint Resolution 14
5. State/County Lease
6. Reclamation Release by State
7. Real Estate Committee Review and Recommendation
8. Sale Agreement between County and the State
9. Quit Claim Deed

### **FISCAL IMPACT**

\$815,216.50 in County Road Bonds authorized for the Edith Boulevard Phase II Reconstruction Project will be used for the purchase of the vacant land from the State of New Mexico for a Storm Drainage Pond to support the construction. The fiscal impact is as follows:

<u>Name of Fund</u>	<u>Fund Center</u>	<u>G/L Account</u>	<u>Amount</u>
Capital Constr. Fund - 13001	TS.2007.EDITH2	586045 CA-Road Bonds	\$815,216.50
Name of Fund/Account(s)	Line Item Number(s)		Dollar Amount(s)
Capitol Construction Fund	13001-TS.2007.EDITHII-586045		<b>\$815,216.50</b>

### **STAFF ANALYSIS SUMMARY**

#### **COUNTY MANAGER**

The County has sufficient road bonds to acquire this property and plans on working to develop much needed athletic fields for the North Valley community. I recommend Board approval. TL 3/3/09

#### **DEPUTY COUNTY MANAGER**

The purchase of this described parcel is necessary for the capture of storm water. It may also be developed into a multi-purpose use available for area citizens to use for recreational purposes. I recommend approval. TZ 2/23/2009

#### **LEGAL**

Approved as to Form. PFT 2/20/2009

## **FINANCE**

<b>Budget</b>	Approval would allow the County to purchase vacant land in the North Valley for a Storm Drainage Pond as part of the Edith Boulevard Phase II Road Reconstruction. Funding in the form of County Road Bonds are available in 13001-TS.2007.EDITH2. Stephanie Manzanares, Financial Services Administrator II 02/16/2009
<b>Purchasing</b>	Acquisition of land is exempt from the NMSA Code. Phillip Lee Purchasing Administrator 02/17/2009
<b>Contracts</b>	Contract Control Number (CCN) 2009-0119 has been assign and is pending contingent upon Commission approval. Phillip Lee Purchasing Administrator, 02/17/2009
<b>Risk Management</b>	No comment required. 2/17/09. David A. Baca, Director of Risk Management.